

Jeremy Johnson



Roger B. Wilson
XXXXXXX Governor • Stephen M. Mahfood, Director

DEPARTMENT OF NATURAL RESOURCES

DIVISION OF ENVIRONMENTAL QUALITY

P.O. Box 176 Jefferson City, MO 65102-0176

December 4, 2000

REC'D

DEC 12 2000

RCAP

Mr. Bryan Kury
Project Manager
The Boeing Company
Dept. 464C, Bldg. 220
Mail Code S221-1400
P.O. Box 516
St. Louis, MO 63166-0516

RE: Boeing Tract I Facility, Hazardous Waste Permit #MOD000818963

Dear Mr. Kury:

References:

- 1) Boeing's letter of October 16, 2000, regarding the conceptual process for implementation of interim remedial actions.
- 2) Boeing's letter of October 31, 2000, regarding the Remedial Action Plan to implement interim remedial actions.
- 3) Boeing's E-mail transmittal of November 6, 2000, regarding the draft public notice for the Remedial Action Plan to implement interim remedial actions.
- 4) Boeing/DNR conference call of November 27, 2000.
- 5) Boeing/DNR meeting of November 30, 2000.

As you are aware, the Missouri Department of Natural Resources (DNR) Hazardous Waste Program has been in constant communication with Boeing concerning the corrective action activities at the Boeing Tract I facility in Hazelwood, Missouri. DNR greatly appreciates Boeing's proactive, consensus-building approach to corrective action investigation and remediation. DNR will continue to do everything possible within the context of Boeing's Hazardous Waste Management Facility (HWMF) Permit, applicable regulations and guidance to expedite corrective action progress at the facility. In this regard, DNR has reviewed the foregoing correspondence and offers the following comments concerning the issues raised therein.



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RCRA RECORDS CENTER

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While DNR cannot at this time grant final approval of Boeing's Remedial Action Plan (RAP), DNR does agree with the conceptual approach described in the RAP. As discussed further in this letter, to achieve final approval of the RAP, Boeing must provide additional detail and corrections to the document and complete the public participation process.

Following RAP approval (and prior to approval in the case of actions such as pilot studies that may precede RAP approval), it remains the Permittee's (currently a joint obligation of the Navy as facility owner and McDonnell Douglas (Boeing) as the operator) responsibility to obtain, as applicable, approvals or permits for corrective action-related activities that are regulated under other DNR programs. While DNR is optimistic that Boeing's preferred interim measures, which incorporate use of Hydrogen Release Compound (HRC), will be successful, failure of such measures to provide adequate protection of human health and the environment may trigger further evaluation of remedial alternatives as part of the facility-wide corrective measures study process.

DNR agrees that modification of Boeing's HWMF Permit and public participation is not necessary to implement minor interim measures at the facility, such as in this instance, pilot testing of remedial technologies. However, the interim measures as a whole proposed in Boeing's RAP are quite significant in that active remediation of substantial soil and groundwater contamination is contemplated and, if successful, the proposed interim measures may, in large part, constitute a final remedy for the area under consideration. DNR's corrective action program authorization and agreements with Region VII of the Environmental Protection Agency (EPA), require that a public notice and opportunity for comment be provided for interim measures activities that are determined by DNR to be significant. Boeing is hereby advised that full-scale implementation of any of the interim measures proposed in Boeing's RAP is considered significant and will require public participation. DNR is certainly willing to work with Boeing to exercise some flexibility with respect to the public participation process for the RAP, including timing of the public notice. As indicated during the above-referenced conference call, it may not be necessary to postpone public participation until pilot or other studies associated with any of the remedial alternatives contained in the RAP are complete, provided that the expectations described below are met.

DNR expects the following with respect to public participation for the proposed RAP. Boeing shall publish a public notice of proposed interim measures activities on a minimum of four consecutive weekends in at least one newspaper of general circulation that is distributed in the vicinity of the Tract I facility. DNR has reviewed the above-referenced e-mail version of the public notice drafted by Boeing. A draft revised version is enclosed with this letter and can be supplied in Microsoft Word format if desired. The public notice shall provide an opportunity for comment of not less than 30 days from the first publication date. Boeing had inquired as to whether the comment period could be shortened to 15 days, if the public notice were broadcast more widely. DNR feels that

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while this may increase public awareness of the proposed interim measures, such a time period would not leave sufficient time for the public to review the corrective action administrative record and develop meaningful comments on the proposed RAP and/or the supporting information. Following publication, Boeing will be required to provide proof of publication to DNR in the form of copies of the published notices and affidavits of publication from the newspaper.

Discussion of three additional fundamental issues related to the proposed RAP and associated public participation is essential. First of all, DNR expects that the complete corrective action administrative record for the proposed RAP will be made available for review at both DNR's offices and the local library during the public comment period. In order to ensure that all appropriate materials are included in the corrective action administrative record, it is requested that Boeing prepare and submit to DNR a pre-publication summary index of the materials proposed for inclusion in the administrative record. DNR will review this index and provide written acknowledgement of its acceptability. Secondly, the proposed RAP should not be put on public notice until it has been revised to address DNR's RAP comments. As previously communicated to you during the above-referenced conference call and meeting, DNR has a substantial number of comments/issues that must be addressed before the RAP can be considered complete for the purpose of public participation. DNR remains committed to the expeditious resolution of these comments/issues. Thirdly, the time frame for final RAP approval would depend largely on the nature, scope, and quantity of the comments received during the public comment period, however, 30 to 60 days following the close of the public comment might be considered a typical time frame.

Thank you for your interest in expediting corrective action progress at the Boeing facility. I trust this letter and its enclosures fundamentally address the questions raised in the above-referenced Boeing correspondences. If you have any questions, please do not hesitate to contact me at (573) 751-3553.

Sincerely,

HAZARDOUS WASTE PROGRAM



Richard A. Nussbaum, P.E., R.G.
Chief, Corrective Action Unit
Permits Section

RN:bi

Enclosure

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c: Mr. Jeremy Johnson, U.S. EPA Region VII
DNR, St. Louis Regional Office

Working Draft

PUBLIC NOTICE OF PROPOSED INTERIM MEASURES TO CLEAN-UP ENVIRONMENTAL CONTAMINATION

McDonnell Douglas Corporation, a wholly-owned subsidiary of the Boeing Company (Boeing), is proposing interim measures to address additional investigation and clean-up of environmental contamination at its military jet fighter aircraft manufacturing facility located adjacent to Lambert St. Louis International Airport in the city of Hazelwood, Missouri. In accordance with the requirements of Boeing's Hazardous Waste Management Facility (HWMF) Permit, a proposed Remedial Action Plan (RAP) has been submitted to the Missouri Department of Natural Resources (DNR). The RAP describes the interim measures including the additional investigative tasks and remedial actions that are proposed to be completed at the Boeing facility.

Boeing's interim measures are intended to expedite further investigation and clean-up of environmental contamination in certain areas at the facility in accordance with the requirements of Boeing's HWMF Permit. The proposed interim measures are designed to promote near-term protection of human health and the environment while longer-term facility-wide final remedies are evaluated. The proposed interim measures are based on considerable site investigation information/data and are expected to be consistent with and complement any future facility-wide final remedies.

Information repositories have been established at the locations noted below to provide the public with access to all information and data used to support the interim measures proposed by Boeing. The public is invited and encouraged to review this information, data, and the proposed interim measures as means to gain a better understanding of Boeing's proposal. Boeing's RAP and supporting documentation may be viewed at the following location:

Prairie Commons Branch
St. Louis County Library
915 Utz Lane
Hazelwood, Missouri
Telephone: (XXX) XXX-XXXX
Hours: 8:30 am to 9:00 pm, Monday through Friday
8:30 am to 6:00 pm, Saturday

or, by appointment between 9 a.m. and 12 noon and 1 p.m. and 4 p.m. at the following office:

Missouri Department of Natural Resources
Hazardous Waste Program
1738 East Elm Street (lower level)
Jefferson City, Missouri
Telephone: (573) 522-3345

The public is also invited to submit written comments to DNR concerning Boeing's proposed interim measures and supporting documentation. DNR will review and respond to all public comments received on or before XXXXXX XX, 2000, before making a final decision regarding Boeing's proposal. Comments should be directed to:

Mr. Patrick Quinn
Missouri Department of Natural Resources
Hazardous Waste Program
P.O. Box 176
Jefferson City, MO 65102-0176

For additional information, please contact Mr. Patrick Quinn, DNR, at (573) 751-3553.

Adjacent Landowners:

Norfolk Southern Corporation
ATTN: Mr. Fred Williams
Terminal Superintendent
7021 Hall Street
St. Louis, MO 63147

Mr. Albert Pugh
2223 Oberhelman Road
Foristell, MO 63348

City of St. Louis Airport Authority
P.O. Box 10212
Lambert Station
St. Louis, MO 63145

Mr. George Schlarman
1200 Fairlane
St. Charles, MO 63701

Other Parties to Include:

Honorable T.R. Carr
Mayor of Hazelwood
Hazelwood City Hall
415 Elm Grove
Hazelwood, MO 63042

Please also include ...

St. Louis County Executive

79th District State Representative

24th Senate District

U.S. Representative and Senators